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Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

FEDERICO CERETTI, *et al.*,

Defendants.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 09-01161 (SMB)

**NOTICE OF TRUSTEE'S APPLICATION PURSUANT TO  
LOCAL BANKRUPTCY RULE 9077-1(a)**

PLEASE TAKE NOTICE that upon the accompanying Declaration of Anthony M. Gruppuso, Esq. dated March 2, 2016 and exhibits thereto, the Memorandum of Law in Support of the Trustee's application, and such other and further arguments as may be presented before and at the hearing on the application, Irving H. Picard, as trustee (the "Trustee") for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC ("BLMIS"), under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa-III ("SIPA"), and the estate of Bernard L. Madoff ("Madoff"), by and through his undersigned counsel, will make an application seeking relief under Rule 9077-1(a) of the Local Bankruptcy Rules for the Southern District of New York, Rule 37 of the Federal Rules of Civil Procedure (made applicable by Rule 7037 of the Federal Rules of Bankruptcy Procedure), and paragraph 21 of the Litigation Protective Order entered on June 6, 2011 compelling the production of documents from defendants Kingate Global Fund, Ltd. ("Kingate Global") and Kingate Euro Fund, Ltd. ("Kingate Euro," and with Kingate Global, the "Funds") which have failed, respectively, to comply with the Trustee's First Set of Requests for Production of Documents and Things to Defendant Kingate Global Fund, Ltd. and his First Set of Requests for Production of Documents and Things to Defendant Kingate Euro Fund, Ltd. served on the Funds on or about October 7, 2015, before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, One Bowling Green, New York, New York 10004, at a hearing to be held on the application as set by the Court.

Date: March 2, 2016  
New York, New York

**BAKER & HOSTETLER LLP**

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